



LAHIVE
&
COCKFIELD
L L P

COUNSELLORS AT LAW
28 STATE STREET
BOSTON, MASSACHUSETTS 02109-1784
TELEPHONE (617) 227-7400
FAX (617) 742-4214
lc@lahive.com

JOHN A. LAHIVE, JR. (1928-1997)
THOMAS V. SMURZYNSKI
RALPH A. LOREN
GIULIO A. DeCONTI, JR.
ANN LAMPORT HAMMITTE
ELIZABETH A. HANLEY
AMY BAKER MANDRAGOURAS
ANTHONY A. LAURENTANO
KEVIN J. CANNING
JANE E. REMILLARD
DEANN FORAN SMITH
PETER C. LAURO
DEBRA J. MILASINCIC, Ph.D.
DAVID J. RIKKERS
DAVID R. BURNS
JOHN S. CURRAN
SEAN D. DETWEILER
MEGAN E. WILLIAMS, Ph.D.

LISA M. DIROCCO
HATHAWAY P. RUSSELL •
MARIA LACOTRIPE ZACHARAKIS, Ph.D.
VINCENT P. LOCCISANO
MERIDETH C. ARNOLD
DANIELLE L. HERRITT
EUIHOON LEE **
SENIOR COUNSEL
JAMES E. COCKFIELD
OF COUNSEL
JEREMIAH LYNCH
WILLIAM A. SCOFIELD, JR.
SIBLEY P. REPPERT
JEANNE M. DIGIORGIO
CYNTHIA L. KANIK, Ph.D.

PATENT AGENTS
THEODORE R. WEST
CYNTHIA M. SOROS
PETER W. DINI, Ph.D.
JONATHAN M. SPARKS, Ph.D.

TECHNICAL SPECIALISTS
CATHERINE M. BISHOP
JACOB G. WEINTRAUB
CRISTIN E. HOWLEY, Ph.D.
JILL ANN MELLO, Ph.D.
DEBORAH L. NAGLE, Ph.D.

* Admitted in TX only
** Admitted in CT only

May 23, 2003

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Re: U.S. Patent Application No.: 09/273,445
Title: *UPREGULATION OF TYPE III ENDOTHELIAL CELL NITRIC OXIDE SYNTHASE BY HMG-CoA REDUCTASE INHIBITORS*
Filed: March 19, 1999
Inventors: James K. Liao, *et al.*
Our Ref. No.: ENI-028BCP

Dear Sir:

I enclose herewith for filing in the above-identified application the following:

1. Supplemental Information Disclosure Statement (2 pages);
2. PTO Form 1449 (1 page);
3. Full copies of references cited in PTO Form 1449; and
4. A Return Postcard.

No additional costs are believed to be due in connection with the filing of this Information Disclosure Statement. However, please charge any necessary fees in connection with the enclosed statement to our Deposit Order Account No. 12-0080. For this purpose, a duplicate of this sheet is attached.

"Express Mail" mailing label number: EV 244 883 631 US

Date of Deposit: May 23, 2003

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

Signature

Danielle L. Herritt

Please Print Name of Person Signing

LAHIVE & COCKFIELD, LLP

By 
Danielle L. Herritt, Esq.

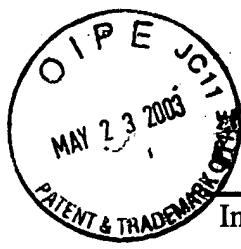
Reg. No. 43,670

For

DeAnn F. Smith, Esq.

Reg. No. 36,683

28 State Street
Boston, MA 02109
617-227-7400



RECEIVED

MAY 28 2003

TECH CENTER 1600/2900

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of: James K. Liao, *et al.*

Serial No.: 09/273,445

Filed: March 19, 1999

For: *UPREGULATION OF TYPE III ENDOTHELIAL CELL NITRIC OXIDE SYNTHASE BY HMG-CoA REDUCTASE INHIBITORS*

Attorney Docket No.: ENI-028BCP

Group Art Unit: 1617

Examiner: E.J. Webman

3/19
5/99
6-2003

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

"Express Mail" mailing label number: EV 244 883 631 US

Date of Deposit: May 23, 2003

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Commissioner for Patents, Box 1450, Alexandria, Virginia 22313-1450.

Signature


Danielle L. Herritt

Please Print Name of Person Signing

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Dear Sir:

The present application is a Continuation-in-part Application of U.S. Serial No. 09/132,848, filed August 11, 1998 (Atty. Docket No. ENI-028B). Applicants and their attorney are aware of the following publications and information, listed on the attached PTO Form 1449, and in accordance with 37 CFR §1.97 hereby submit these publications for the Examiner's consideration. A full copy of each cited publication is enclosed.

This statement is not to be interpreted as a representation that the cited publications are material, that an exhaustive search has been conducted, or that no other relevant information exists. Nor shall the citation of any publication herein be construed *per se* as a representation that such publication is prior art. Moreover, Applicants understand that the Examiner will make an independent evaluation of the cited publications.

Please charge any necessary additional fees or credit any overpayments to our Deposit Order Account No. 12-0080.

Respectfully submitted,
LAHIVE & COCKFIELD, LLP



Danielle L. Herritt, Esq.
Registration No. 43,670
For
DeAnn F. Smith, Esq.
Registration No. 36,683
Attorney for Applicants

28 State Street
Boston, MA 02109
(617) 227-7400

Date: May 23, 2003

DFS/DLH/tjs